

Pro Se 1 (Rev. 09/16) Complaint for a Civil Case

U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT

for the
District of Massachusetts

2021 JAN 22 AM 9:28

U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTS

KODJO AGBLEKPE

Case No. _____

(to be filled in by the Clerk's Office)

*Plaintiff(s)**(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)*

-v-

BUNKER HILL COMMUNITY COLLEGE

*Defendant(s)**(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)*

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

| | |
|--------------------|--------------------|
| Name | KODJO AGBLEKPE |
| Street Address | 42 HOLLANDER ST |
| City and County | BOSTON |
| State and Zip Code | MA 02121 |
| Telephone Number | 617-372-3084 |
| E-mail Address | agblekpe@gmail.com |

B. The Defendant(s)Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (*if known*). Attach additional pages if needed.

Defendant No. 1

| | |
|----------------------------------|---|
| Name | BUNKER HILL COMMUNITY COLLEGE and Molly Ambrose |
| Job or Title <i>(if known)</i> | Associate VP of Human Resources & Labor Relations |
| Street Address | 250 Rutherford Avenue |
| City and County | Charlestown, Suffolk |
| State and Zip Code | Massachusetts, 02129 |
| Telephone Number | 617-228-2457 |
| E-mail Address <i>(if known)</i> | mambrose@bhcc.edu |

Defendant No. 2

| | |
|----------------------------------|-----------------------|
| Name | Julie Elkins |
| Job or Title <i>(if known)</i> | Dean of Students |
| Street Address | 250 Rutherford Avenue |
| City and County | Charlestown, Suffolk |
| State and Zip Code | Massachusetts, 02129 |
| Telephone Number | 617-228-2436 |
| E-mail Address <i>(if known)</i> | jelkins@bhcc.edu |

Defendant No. 3

| | |
|----------------------------------|---------------------------|
| Name | Will J. Cribby |
| Job or Title <i>(if known)</i> | Assistant Dean of Student |
| Street Address | 250 Rutherford Avenue |
| City and County | Charlestown, Suffolk |
| State and Zip Code | Massachusetts, 02129 |
| Telephone Number | 617-228-2012 |
| E-mail Address <i>(if known)</i> | wjcribby@bhcd.edu |

Defendant No. 4

| | |
|----------------------------------|---|
| Name | James Canniff |
| Job or Title <i>(if known)</i> | VP/Provost of Academic Affairs & Student Services |
| Street Address | 250 Rutherford Avenue |
| City and County | Charlestown, Suffolk |
| State and Zip Code | Massachusetts, 02129 |
| Telephone Number | 617-228-2435 |
| E-mail Address <i>(if known)</i> | jfcannif@bhcc.edu |

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*



Federal question



Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Title VII of the Civil Rights Act of 1964 (Title VII), which prohibits employment discrimination based on race, color, religion, sex, or national origin.

Please also See Notice of Suit Rights.

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* _____, is a citizen of the
State of *(name)* _____.

b. If the plaintiff is a corporation

The plaintiff, *(name)* _____, is incorporated
under the laws of the State of *(name)* _____,
and has its principal place of business in the State of *(name)* _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, *(name)* _____, is a citizen of
the State of *(name)* _____ . Or is a citizen of
(foreign nation) _____.

b. If the defendant is a corporation

The defendant, *(name)* _____, is incorporated under the laws of the State of *(name)* _____, and has its principal place of business in the State of *(name)* _____.

Or is incorporated under the laws of *(foreign nation)* _____, and has its principal place of business in *(name)* _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy-the amount the plaintiff claims the defendant owes or the amount at stake-is more than \$75,000, not counting interest and costs of court, because *(explain)*:

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Please see Attached (12 pages) Statement of the claim

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Compensatory damages:

I am requesting pay for out-of-pocket expenses caused by the discrimination (such as costs associated with a job search or medical expenses). I would also like to be compensated for the emotional harm suffered (such as embarrassment & humiliation, mental anguish, inconvenience, as well loss of enjoyment of life).

BHCC should be required to stop any discriminatory practices and take steps to prevent discrimination in the future.

I need to recover court costs of \$402.00.

Punitive damages:I request Punitive damages because BHCC committed an especially malicious or reckless act of discrimination

IV. Relief

Relief: State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Compensatory damages:

- 1- I am requesting pay for out-of-pocket expenses caused by the discrimination (such as costs associated with a job search or medical expenses). I would also like to be compensated for the emotional harm suffered (such as embarrassment & humiliation, mental anguish, inconvenience, as well loss of enjoyment of life).
- 2- BHCC should be required to stop any discriminatory practices and take steps to prevent discrimination in the future.
- 3- I need to recover court costs of \$402.00.
- 4- **Punitive damages:**

I request Punitive damages because BHCC committed an especially malicious or reckless act of discrimination.

- 5- **I am Requesting the EEOC standard limit of \$300,000** on the amount of compensatory and punitive damages due to the fact the BHCC has more than 500 employees.
- 6- **Liquidated damages:**

this case has proof of intentional as well as malicious and reckless acts of discrimination. I would like to be awarded to punish of discrimination. I would like to be awarded the amount of back pay and benefits equivalent to what I would have received if I was not denied this position.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: JANUARY 19, 2021

Signature of Plaintiff KODJO AGBLEKPE

Printed Name of Plaintiff KODJO AGBLEKPE

B. For Attorneys

Date of signing: _____

Signature of Attorney Pro SE Litigant

Printed Name of Attorney _____

Bar Number _____

Name of Law Firm _____

Street Address _____

State and Zip Code _____

Telephone Number _____

E-mail Address _____